

REMARKS

The application has been reviewed in light of the Non-Final Office Action mailed November 3, 2005. At the time of the Non-Final Office Action, claims 1-33 were pending in this application. Claims 26-33 have been allowed. The Applicant gratefully acknowledges the allowance of these claims. Claims 1, 6, 7, 16, 19, 20, and 25 have been rejected. Claims 2-5, 8-15, 17, 18, and 21-24 were objected to.

Claim Rejections 35 U.S.C. § 102(b)

Claims 1, 6, and 7 have been rejected under 35 U.S.C. 102(b) as being anticipated by Doggett et al. (U.S. 3,865,188) ("Doggett"). Specifically, Examiner states as follows in bold typeface:

Doggett et al. discloses body (11) having production openings (91), a frac opening (opening sleeve of 99) an inflatable packer (27, 29), a frac mandrel (113) operable to perform an enhancement operation (col. 9, lines 55-63 and set the packer (with downward flow; col. 8, lines 37-43).

Applicant respectfully traverses this rejection as to claims 1, 6, and 7.

Doggett does not disclose "a plurality of production openings and at least one frac opening." Rather, Doggett describes ports (91) which may be opened for production of fluids or injection of fluids therethrough (col. 6, lines 50-51) and a valve (99) which allows fluid to move through the ports (91) (col. 7, lines 1-6). Further, Doggett does not disclose "a frac mandrel operable within the passageway." Rather, Doggett describes tubing (113) inserted with a production packer (133) to protect the casing and force fluids to flow upwardly through the tubing (133) (col. 9, lines 1-6). Additionally, Doggett does not disclose a frac mandrel which "is

operable to set the packer.” While Doggett discloses the pumping of fluid down the interior of the casing (15) to inflate the jackets (31) of the packers (27, 29) (col. 8, lines, 37-43), Applicant is unable to find anywhere in Doggett a teaching or suggestion that this may be accomplished with a frac mandrel. Nor does Applicant find a teaching or suggestion in Doggett of “a frac mandrel operable within the passageway, wherein the frac mandrel is operable to facilitate a production enhancement operation through the body *and* further operable to set the packer” (emphasis added). Further, Applicant finds no teaching or suggestion in Doggett of a frac mandrel “operable to inflate the inflatable packer *with a frac fluid,*” as asserted in claim 7 (emphasis added).

Accordingly, independent claim 1, and corresponding claims 6 and 7 depending therefrom, are believed patentable over Doggett. Examiner is therefore requested to withdraw his rejection of these claims and allow these claims to issue.

Claims 16, 19, 20, and 25 have been rejected under 35 U.S.C. 102(b) as being anticipated by Canada. (U.S. 3,430,701) (“Canada”). Specifically, Examiner states as follows in bold typeface:

Canada discloses a cased well (14, 10), a body (62), a passageway (inner 76) production openings (59), a frac opening (80), a frac mandrel (34), a packer (32), setting two packers (32) with the frac mandrel (34) and performing an enhancement operation.

Applicant respectfully traverses this rejection as to claims 16, 19, 20, and 25.

Canada does not disclose “a plurality of production openings and at least one frac opening.” Rather, Canada describes an inner liner (58) with perforations (59). Applicant is unable to find anywhere in Canada a teaching or suggestion that these perforations (59) are

production openings. Nor does Applicant find a teaching or suggestion in Canada of setting the packer with a frac mandrel. Instead, Canada describes setting the packers using a pressure line (34) (col. 2, lines 44-46), which is a different element from the conduit (26) through which treating fluid is pumped (col. 2, lines 54-56). Further, Applicant finds no teaching or suggestion in Canada of “producing a fluid from the formation through the production openings,” as asserted in claim 25. In fact, Applicant finds no reference to either producing a fluid or production openings in Canada at all.

Accordingly, independent claim 16, and corresponding claims 19, 20, and 25 depending therefrom, are believed patentable over Canada. Examiner is therefore requested to withdraw his rejection of these claims and allow these claims to issue.

Additionally, the Non-Final Office Action mailed November 3, 2005 does not state a reason for the objection to claims 2-5, 8-15, 17, 18, and 21-24. Further, all of the claims 2-5, 8-15, 17, 18, and 21-24 depend from claims that are patentable in light of the remarks made above. Therefore, Applicant requests that Examiner withdraw this objection and allow these claims to issue.

SUMMARY

In light of the above remarks, Applicant respectfully submits that the application is now in condition for allowance and early notice of the same is earnestly solicited. Should the Examiner have any questions, comments or suggestions in furtherance of the prosecution of this application, the Examiner is invited to contact the attorney of record by telephone, facsimile or electronic mail, as indicated below.

Applicant believes that there are no fees due in association with the filing of this Response. However, should the Commissioner deem that any fees are due, including any fees for any extensions of time, Applicant respectfully requests that the Commissioner accept this as a Petition therefore, and directs that any fees be debited from Baker Botts L.L.P., Deposit Account No. 02-0383, (*formerly Baker & Botts, L.L.P.*) Order Number 063718.0318.

Respectfully submitted,

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